

AMENDED IN SENATE JULY 3, 2013
AMENDED IN SENATE JUNE 25, 2013
AMENDED IN ASSEMBLY MAY 24, 2013
AMENDED IN ASSEMBLY MAY 1, 2013
AMENDED IN ASSEMBLY FEBRUARY 20, 2013
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 53

Introduced by Assembly Member John A. Pérez
(Coauthors: Assembly Members Fong, Fox, Medina, and Weber)

January 7, 2013

An act to ~~amend Section 12096.3 of, and to add Section 12096.35 to, the Government Code, and to amend Section 1401 of the Labor Code, relating to economic development.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 53, as amended, John A. Pérez. Governor's Office of Business and Economic Development: biennial California Economic Development Strategic Plan.

The Governor's Office of Business and Economic Development serves as the Governor's lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. The office, among others, makes recommendations to the Governor and the Legislature regarding policies, programs, and actions to advance statewide economic goals.

This bill would require the office to lead the preparation of a California Economic Development Strategic Plan, as specified.

Existing law provides that an employer, with certain exceptions, may not order a mass layoff, relocation, or termination, as defined, at a covered establishment without giving 60 days' prior written notice to employees and the Employment Development Department and other local agencies, as well as complying with specified federal guidelines.

This bill would require the employer to also provide written notice to the Governor's Office of Business and Economic Development and require the Employment Development Department to post the notice on its Internet Web site.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 12096.3 of the Government Code is~~
- 2 ~~amended to read:~~
- 3 ~~12096.3. The office shall serve the Governor as the lead entity~~
- 4 ~~for economic strategy and the marketing of California on issues~~
- 5 ~~relating to business development, private sector investment, and~~
- 6 ~~economic growth. In this capacity, the office may:~~
- 7 ~~(a) Recommend to the Governor and the Legislature new state~~
- 8 ~~policies, programs, and actions, or amendments to existing~~
- 9 ~~programs, advance statewide economic goals and respond to~~
- 10 ~~emerging economic problems and opportunities, and ensure that~~
- 11 ~~all state policies and programs conform to the adopted state~~
- 12 ~~economic and business development goals.~~
- 13 ~~(b) Coordinate the development of policies and criteria to ensure~~
- 14 ~~that federal grants administered or directly expended by state~~
- 15 ~~government advance statewide economic goals and objectives.~~
- 16 ~~(c) Market the business and investment opportunities available~~
- 17 ~~in California by working in partnership with local, regional, federal,~~
- 18 ~~and other state public and private institutions to encourage business~~
- 19 ~~development and investment in the state.~~
- 20 ~~(d) Provide, including, but not limited to, all of the following:~~
- 21 ~~(1) Economic and demographic data.~~
- 22 ~~(2) Financial information to help link businesses with state and~~
- 23 ~~local public and private programs.~~

1 ~~(3) Workforce information, including, but not limited to, labor~~
2 ~~availability, training, and education programs.~~

3 ~~(4) Transportation and infrastructure information.~~

4 ~~(5) Assistance in obtaining state and local permits.~~

5 ~~(6) Information on tax credits and other incentives.~~

6 ~~(7) Permitting, siting, and other regulatory information pertinent~~
7 ~~to business operations in the state.~~

8 ~~(e) Establish a well-advertised telephone number, an interactive~~
9 ~~Internet Web site, and an administrative structure that effectively~~
10 ~~supports the facilitation of business development and investment~~
11 ~~in the state.~~

12 ~~(f) Encourage collaboration among research institutions, startup~~
13 ~~companies, local governments, venture capitalists, and economic~~
14 ~~development agencies to promote innovation.~~

15 ~~(g) In cooperation with the federal government, foster~~
16 ~~relationships with overseas entities to improve the state's image~~
17 ~~as a destination for business investment and expansion.~~

18 ~~(h) Conduct research on the state's business climate, including,~~
19 ~~but not limited to, research on how the state can remain on the~~
20 ~~leading edge of innovation and emerging sectors.~~

21 ~~(i) Support small businesses by providing information about~~
22 ~~accessing capital, complying with regulations, and supporting state~~
23 ~~initiatives that support small business.~~

24 ~~(j) Lead the preparation of a California Economic Development~~
25 ~~Strategic Plan.~~

26 ~~SEC. 2.~~

27 *SECTION 1.* Section 12096.35 is added to the Government
28 Code, to read:

29 12096.35. (a) The office shall lead the preparation of a
30 California Economic Development Strategic Plan. In fulfilling this
31 duty, the office shall commission a study that includes, but is not
32 limited to, all of the following:

33 (1) Recommendations regarding an economic development
34 strategic plan for the state, covering a two-year period for the first
35 report and a three-year time period for subsequent reports and
36 containing a statement of economic goals for the state.

37 (2) Governmental and nongovernmental impediments to
38 economic development and a list of legislative, regulatory, and
39 administrative reforms necessary to ease those impediments and
40 improvements to the business climate and economy of the state.

1 (3) An evaluation of the effectiveness of the state's economic
2 development programs.

3 (4) A list of key industries in which the state shall focus its
4 economic development efforts, and strategies to foster job growth
5 and economic development covering all state agencies, offices,
6 boards, and commissions that have economic development
7 responsibilities.

8 (5) An evaluation of policies and goals developed at the regional
9 level.

10 (6) Strengths and weaknesses of the California economy and
11 the state's prospects for future economic prosperity.

12 (7) Existing, emerging, and declining industries in California
13 and elsewhere.

14 (8) Effectiveness of California's economic development
15 programs in creating and retaining jobs and attracting industries.

16 (9) Adequacy of state and local physical and economic
17 infrastructure.

18 (10) Opportunities to leverage federal resources for state
19 priorities.

20 (11) Tactics for attracting private capital to the state and
21 investment in state priority areas.

22 (b) Upon completion of the study, the office shall convene a
23 stakeholder advisory group consisting of representatives from
24 businesses, labor unions, organizations representing the interests
25 of diverse ethnic and gender groups, local government leaders,
26 academic economists and business professors, chambers of
27 commerce and other business organizations, economic development
28 organizations, government agencies, and key industries to assist
29 with evaluating and preparing the California Economic
30 Development ~~Strategy~~ *Strategic Plan*.

31 (c) The office shall submit a report of its findings and
32 recommendations regarding subdivision (a) to the Governor and
33 the Legislature no later than October 1, 2014, with the next report
34 due October 1, 2016, and every three years following that date.
35 The report shall be submitted to the Legislature in the manner
36 required pursuant to Section 9795.

37 (d) The office shall electronically deliver copies of the
38 recommended California ~~economic development strategic plan~~
39 *Economic Development Strategic Plan* to every constitutional
40 officer, legislator, member of the Governor's cabinet, and every

1 state agency, office, board, and commission having economic
2 development responsibilities.

3 ~~SEC. 3.~~

4 *SEC. 2.* Section 1401 of the Labor Code is amended to read:

5 1401. (a) An employer may not order a mass layoff, relocation,
6 or termination at a covered establishment unless, 60 days before
7 the order takes effect, the employer gives written notice of the
8 order to the following:

9 (1) The employees of the covered establishment affected by the
10 order.

11 (2) (A) The Employment Development Department, the
12 Governor's Office of Business and Economic Development, the
13 local workforce investment board, and the chief elected official
14 of each city and county government within which the termination,
15 relocation, or mass layoff occurs.

16 (B) The Employment Development Department shall, upon
17 receipt of the notice, post the notice on its Internet Web site.

18 (b) An employer required to give notice of any mass layoff,
19 relocation, or termination under this chapter shall include in its
20 notice the elements required by the federal Worker Adjustment
21 and Retraining Notification Act (29 U.S.C. Sec. 2101 et seq.).

22 (c) Notwithstanding the requirements of subdivision (a), an
23 employer is not required to provide notice if a mass layoff,
24 relocation, or termination is necessitated by a physical calamity
25 or act of war.